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C O N F I D E N T I A L SECTION 01 OF 02 TEL AVIV 001315

SIPDIS

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TAGS: [PREL](#) [PGOV](#) [KWBG](#) [IS](#) [SETTLEMENTS](#) [ISRAELI](#) [PALESTINIAN](#) [AFFAIRS](#)

SUBJECT: GOI MAY PLAN TO RETROACTIVELY APPROVE SOME OUTPOSTS

REF: A. TEL AVIV 1163

[B](#). TEL AVIV 1065

[C](#). TEL AVIV 0940

Classified By: Ambassador Richard H. Jones for reasons 1.4 (b) and (d)

[1](#)1. (U) This message contains an action request. See paragraph 7.

[1](#)2. (C) Summary: A March 21 article in the Jerusalem Post claimed that senior GOI officials are considering a proposal to retroactively authorize ten illegal West Bank outposts that would remain under Israeli control under a future unilateral disengagement plan. The outpost authorizations are supposedly part of Kadima's plan for unilateral disengagement, announced by Avi Dichter weeks ago. Despite denials from MOD officials, who characterized the piece as disinformation, Post believes that the article may be a trial balloon, which the U.S. should seek to deflate. End summary.

Rumors of Retroactive
Outpost Approvals

[1](#)3. (C) The Jerusalem Post on March 21 reported that senior GOI officials are discussing a plan to retroactively authorize ten illegal outposts in the West Bank. According to the article, the outposts must fall inside settlement blocs that Israel intends to "keep" if the GOI undertakes another unilateral disengagement in the near future. The article names two outposts as Aloney Shilo and Nof Kana, near Qarney Shomrom settlement in the Ariel bloc, as well as unnamed outposts near Ofra and Bet El in the central West Bank. (Note: Aloney Shilo and Nof Kana are different names for a single outpost, not two separate outposts, according to both the USG and IDF. This may be a misprint in the article. End note.) The article did not name any other outposts for consideration, so it is unclear whether the GOI would retroactively authorize pre- or post-March 2001 outposts.

[1](#)4. (U) In exchange for approval of these outposts, Israel expects the settlers to voluntarily evacuate from other outposts throughout the West Bank, according to the article. GOI officials claim that negotiations on such a deal between the government and settler leaders are ongoing, but Emily Amrusi, spokeswoman for the YESHA Council, denied the allegations.

GOI Denies the Plan

[1](#)5. (C) Brigadier General (ret.) Baruch Spiegel, Ministry of Defense (MOD) advisor, told Economic Counselor on March 23 that the information presented in the article was not true, and characterized it as "disinformation." Lt. Col. Oded Herman, who works for Spiegel, said that the GOI recognizes that it has commitments to the USG to remove all 24 post-March 2001 outposts, that his office has orders to plan for the removal of these outposts, and that the IDF will start to implement the plan after the elections. (Note: The USG counts 44 post-March 2001 outposts. End note.)

But If It's True?

[1](#)6. (C) Notwithstanding Spiegel's and Herman's denials of the report, Post believes that this announcement may be a trial balloon, which the USG should seek to deflate. The outpost of Aloney Shilo/Nof Kana, near Qarney Shomrom settlement, is in the Ariel bloc, and on land Israel might well seek to retain in permanent status negotiations, but chances for its success in this regard are questionable. The other outposts cited in the article as being near Ofra and Bet El settlements are even more problematic. Ofra and Bet El are nowhere near the separation barrier; they are slightly northeast of Ramallah in the middle of the central West Bank. The GOI is likely considering these outposts, despite their distance from the barrier, because they have been included in descriptions of Kadima's plans for a second unilateral disengagement as announced by former Shin Bet Director Avi Dichter several weeks ago. Dichter, rumored as a possible defense minister in the new government, said that the GOI would keep Ma'ale Adumim, Ariel, Gush Etzion, Qedumim,

Ofra-Bet El, and Hebron-Qiryat Arba.

Comment and Action Request

17. (C) Ultimately this speaks to the greater issue of Kadima's plan for unilateral disengagement and declaration of the separation barrier as a final border. The GOI has never negotiated the route of the separation barrier with the Palestinian Authority (PA) and, with Hamas now in charge of the PA, Kadima seriously doubts it will ever be able to. Hence, it hopes to gain international supporters, starting with the U.S., for a unilateral approach recognizing "facts on the ground." Some in Kadima may see approving outposts retroactively in advance of a campaign for international support as a convenient way of quietly adding to such ground facts. Laying down a marker now that the U.S. continues to expect Israel to abide fully by its commitments to us on outposts may be a way of dissuading them from embarking on a strategy which will only complicate matters for us now and make it harder for them to gain international support when the time comes. We request approval to use the following talking points with appropriate GOI officials:

-- We have noted a recent article in the Jerusalem Post alleging plans to retroactively authorize ten illegal West Bank outposts that the GOI would treat as part of Israel under a future unilateral disengagement plan.

-- As you know, Israel and the United States have an understanding regarding outposts. The U.S. continues to abide by this understanding and calls on Israel to do so as well.

-- Efforts to change retroactively the status of outposts would complicate our mutual efforts to gain international support for isolating Hamas and should be avoided.

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JONES